STOKES.

Another Day of Quibbles, Objections and Challenges.

THE JURY COMPLETE.

The Grand Jury That Indicted Stokes Themselves Put on Trial.

It was very evident yesterday morning in the great decrease of the rush of people to secure an autrance into the court room of the Oyer and day's proceedings and the explanation conveyed therein had been read and understood, that the prisoner in the question at issue was not upon actual trial for the crime for which he stands indicted—the murder of James Fisk, Jr., of Erie fame, but that, in fact, the grand inquest, which had found that indictment, were themselves on trial, on very different issue, involving the question of fact, to be submitted through testimony to-day whether or grand inquest, and whether or not Stokes was legally indicted. The skirmishing of counsel upon the point had clearly no interest for the thousands who have hitherto crowded the court buildings and the nurlies to catch a grimpes of Stokes as he beased, as was subposed, to trial, and which must, according to their reasoning and deductions, end

n his conviction and sentence. The usual police precautions were, however, enforced, and a nne of police prohibited all approach to the private enrance through the Cierk's office to the court room, and also to the public door leading direct thereto. Only the privileged few were passed by the police, and sometimes the dilatory and anxious reporter of the press was compelled to make a flank movement through the Sapreme Court Chambers to get to his reserved seat in the great STOKES WAS GUARDED IN

and shown to his seat. He looked around the room and seemed somewhat relieved by the fact that he had not, as in the first instance, had to pass through the threatening crowds of the previous days, and that the court room did not present the sea of faces staring ominously at him that had evidently cowed him heretofore. Take his demeanor and appearance all in all and they are that of a man depressed commission of a fearful crime, for which public sentiment will demand a full and complete atonement should a jury or his peers bring in a verdict against

was formally opened precisely at half-past ten, a moment after Judge Cardozo and taken his seat, District Attorney Garvin, counsel for the people, and numerous counsel of the accused being an

present. THE FIRST SWORN JURORS.

Quite early the two first jurors and the triers, Messrs. Whitam B. Ogden and George C. Huntington, were in their seats, and George W. Nicholson, Peter Kemp, John Henry Walker and Simon Michaels—the fourth, fifth, sixth and seventh jurors—were also early in their places. The third juror, Mr. Chandler Robbins, came in a little behind time.

THE CALING AND EXAMINATION OF JURORS RESUMED.

At a quarter to eleven o'clock the proceedings commenced by the calling of Morris Osterwels. Counsel for prisoner examined min as to his position on the principal challenge. The main question on the principal challenge is in substance as follows:—

tion on the principal challenge is in substance as a statute of this State prescribes the formalities under which the list of the Grand Jurors and the Grand Jury itself shall be selected. Have you formed any opinion as to the legality or lilegality with which this Grand Jury was constituted?

Mr. Osterweis was the second juror who had formed such an opinion, and was dismissed on the principal challenge. Legodwin got through the principal challenge, having no opinion on a rather difficult question of law, but on the challenge to the tavor, while he denied any bias for or against the prisoner, admitted that he had done business for Colonel Fisk and had an impression as to the normicide,

admitted that he had done business for Colonel Fisk and had an impression as to the mometale, Prisoner's counsel presented a new set of requests to charge, being in substance that if any juror showed Rimself to have such an impression as to the main question as would make him think the present plea a mere technicality, or interposed for delay, he was not indifferent.

Judge Cardozo renewed his charge that the juror must be thoroughly and entirely impartial between the prisoner and the people, and not merely indifferent on this issue. He declined to charge four of counsel's requests, but charged the fifth, which was to the effect that the question for the triers was not what the proposed juror thought he could do to clear his mind of any prejudice, but what the triers thought with their knowledge of human nature on the question of his indifferency.

the question of his inducency.

The triers rejected him.

MR. JOHN C. HUSER, EIGHTH JUROR, SWORN.

John C. Huser was clear of opinion on the principal challenge. On the challenge to the favor he stated that he had had an impression on reading

the papers as to the matter, but something had since occurred to ease it off.

COUNSEL—Yes, and before we get through the impression of others will be eased of considerably.

The challenge was withdrawn, and Mr. John C.

Huser sworn in as the eighth juror at five minutes ast eleven.
William Bush Terwilliger had no opinion on the

William Bush Terwilliger had no opinion on the principal challenge; he had an impression on his mind as to the homicide, which would require some evidence to remove. The rivers rejected him.

This exhausted the regular panel.

Mr. McKron said they had thought of challenging to the array the extra panel of 500. They would be governed in that, somewhat, by the construction placed by his flower on the order calling the panel—whether it was a panel merely for this issue or for the whole case.

the whole case.

Judge Carpozo said it was merely for the trial of

ssue. . McKeon—Then we shall not challenge. The 500 names were then placed in the box, and the first one that came out was Mr. Cornelius Greetand, who had an impression on his mind which would require evidence for its re-

His answers led to a discussion of much length

His answers led to a discussion of much length between prisoner's counsel and District Attorney Garvin as to the form of the Judge's charge, Mr. Garvin quoting from O'Connell's case for high treason, in Ireland, in 1792, and opposing counsel claiming that that rule was expressly condemned in the case of Freeman.

Mr. McKenn, following, hoped that the Court would not tollow a precedent harsh even for the day and occasion of its delivery and utterly opposed to the amelioration of modern law.

He was rejected by the triers.

Mr. Nathan Brown, clothier, of No. 20 Chainam street, had had a slight impression on his mind from reading the papers, but nothing more, and if even a sight illegality was shown in the formation of the Grand Jury ne would find accordingty. He was accepted as the ninth juror at ten minutes of tweive, Louis J. Frank had a decided bias in the case and was let go.

Moses Kothschild was indifferent as to the parties, but it would make a difference in his verdict who were the men on the Grand Jury.

The triers rejected nim.

Oscar Mr. Sandford was disqualified on the principal challenge, the third so situated.

Arnoid Kalimen denied any olas, but had an impression derived from the newspapers, an opinion still remaining.

pression derived from the newspapers, an opinion still remaining.

He was rejected by the triers.

MR. HENRY VAN HOLLAND TENTH JUROR.

Henry Van Holland had no bias or prejudice, and if he found any idegality in the Grand Jury he would send it back to another Grand Jury. (Laugh-

would send it back to another Grand Jury. (Laughter.)
Challenge withdrawn by the prisoner and renewed by the District Attorney. He was a friend, personal and political, of Mr. John McKeon, one of prisoner's counsel. He was not going to put himself on record as one who did not read and think, but his thoughts had not matured into an opinion. He was accepted and became the tenth juror at ten minutes past uedve P. M.
MR. SAMUEL GOLDSMITH THE ELEVENTH JUROR.
Samuel Goldsmith, the next juror called, had read the newspaper accounts, but they did not make much impression on him; he was kind of sorty—sorty for Mr. Stokes and Mr. Visk. He was a whole-ale butcher. He had no prejudice against technical defences. He was sworn in as ejeventh juror at a quarter past tweive.

a wholesale buicher. He had no prejudice against technical defences. He was sworn in as eleventh juror at a quarter past tweive.

Isidor Goldsmith was the lourth who had an opinion as to the legality of the Grand Jury, and was immediately followed by Jonn A. McKeon, who was the fifth in that position. Both were disposed of on principal chainenge.

Jesse M. Carter had no bias, and the accounts of the homicide made but a slight impression on his mind, which does not now exist, as he forgets pretty much all he reads in the newspapers, the had been on speaking terms with Coloniel Fisk, but not on friendly terms; he had not seen his funeral; had not belonged to the Ninth; had heard others tak about the case, but had expressed no opinion humself. He knew Mr. Fuller, who was employed by the Eric Ralifoad.

Mr. McKnow, in addressing the triers, said they ment be astonished at their objecting to this juror; but his denials recailed to his mind Shakspeare's line, "Mcthinks the lady doth profess too much." They had shown his connection with Mr. Fuller, of the Eric Rahway, and if he took the twelfth seat the jury would be under the suspicion of being in relation with the agost dangerous combination in the world—the Eric combination.

Counset then asked special charges in relation to this juror, claiming that he seemed to desire to perform what was generally considered a most onerous duty—a duty who the other jurors wound only ne

too grad to be relieved from. He had defeated many such attempts—his associates still more. He requested the Court to charge that the retentiveness of his memory and his suspicious answers were to be considered by the triers.

District Autorney Garvin claimed that the juror attended under the compulsion of summons; that his answers were natural and proper, and showed him to be entirely indifferent. He insisted that there was nothing on which the Court could charge the triers.

Judge Cardozo submitted the matter to the triers in a somewnat more claborate enarge than usual. The triers found him competent.

Coursel—We challenge peremptorily.

The District Attorney objected; they had no right, and the Court was of the same opinion.

Mr. Gerry read the statute on the formation of petil juries, claiming that under that act they had at least two peremptory challenges. The case of Freeman, which decided they had no right on such a trial to a peremptory challenge, was decided three mounts before the passage of the acts of 1847, under which he claimed the right. In 1850 this question had been discussed, and four judges had agreed that the act of 1847 conferred in all criminal trials the same right of peremptory challenge which was conferred in civil suits—viz., to challenge peremptorily two.

The Court said it was inclined to the belief that

sigreed that the act of 1837 conferred in all criminal trials the same right of peremptory challenge which was conferred in civil suits—viz., to challenge peremptorily two.

The Court said it was inclined to the belief that no peremptory challenges were allowed in a trial of this kind.

Prisoner's counsel proceeded to argue the question, chaiming that the third section of the action of 1847 kept alive the lenth section of the action of 1847 kept alive the lenth section of the old law. That tenth section gave the same rights in criminal as in civil trials. At the time of Freeman's case there were no civil challenges, but the revised statutes were prospective in their operation, and, when peremptory challenges were allowed by the act of 1847, the provision became incorporated into the old act, and the old act must be interpreted by the new act. The two acts were in part material, and must be construed as though passed at the same time, and this has been decided by the Supfenie Court.

Bistrict Attorney Ganvin replied—First, that this was not a civil action; second, that it was not a trial involving the punishment of the prisoner in State's Prison or by death. It was mere preliminary trial as to inc constitution of the Grand Jury. The statute the court in Freeman's case; it was qualted in their opinion, and they solemnly decided it did not fermit peremptory challenges on preliminary trial. The act of 1847 did not mention this kind of preliminary trial and how it could apply. It gave a right of two peremptory challenges on trials of issues of fact joined in a civil action. Was this a civil action? Certainly not.

RULLING OF THE COURT.

Judge Cardozo held that, before the act of 1847 the same rule continued, but as some of the passages quoted from the case in ninth Barbour seemed to apply to the present question, he should not in his preliminary matter hazard the trial on his individual opinion, and would therefore allow the prisoner two peremptory challenges.

Ar. Carter, who had been all that time awaiting the res

was rejected.

ISAAO S. COHEN, JUROR NO. 12.

Isaac S. Conen was the next, and had no blas whatever; had read about the homicide, but it had made no inpression on his mind. He was taken as the tweifth juror, and the Court, after cautioning the jurors against discussing or taking about the case, adjourned the case till this moraing.

A SIXTH WARD HOMICIDE.

Fatally Benting a Sallor-Post-mortem Ex-

uniontion.
Captain Kennedy, of the Sixth precinct, yesterday morning brought before Coroner Herrman, at the City Hall, Hugh McGlone, a well known suspicious character, whom he had arrested, charged with committing an assault on John Bell, a thoroughgoing "bummer," of the Five Points' type. On Sunday, the 4th inst., the men had an altercation about a dog in one of that class of distilleries known as "bucket shops," located at 477 Pearl street, where liquid poison is sold in discriminately to all comers, old and young, sold in discriminately to all comers, old and young, black and white; many of whom lie down on the premises and sleep off the effects of the so-called whiskey. Who struck the first blow does not positively appear, but during the fracas McGione knocked Beil down with his dists and placed both eyes in mourning. The matter was studiously kept from the police, and in the meantime Beil continued about his favorite haunts, drinking to excess on all possible occasions. At length he became helpiess and was taken to the hospital, where death ensued on Monday. As it was possible that Beil's death might have been accelerated by the mjuries received at the hands of McGione the latter was arrested and locked up. James Gill, a man who witnessed the assault, was also detained as a witness. Gil states that the prisoner knocked deceased down and kicked him several times.

Yesterday alternoon, at a late hour, Deputy CoroJohn Beach, M. D., made a post-mortem examination on the body of Bell and found a large clot of
blood on the right side of the brain, probably a
week old. All the internal organs were healthy.
Death resulted from compression of the brain. In
the opinion of Dr. Beach the effusion commenced at
the time deceased was struck and knocked down,
last Sunday week.

A SCHOOLBOY HOMICIDE.

Another Affray Between Juveniles at a Public School- eath of One of the Boys-Post-

street, called at the Coroners' office and reported that John Fitzpatrick, one of his patients, nearly seven years of age, had died the day previous on the top floor of premises 81 Beaver street. The boy had been ill for several weeks, and when first taker down complained to his mother that while at play in the rear yard of the school in Pearl street, near Beekman, about five weeks ago, he was twice kicked in the groin by a school boy named Connor, some twelve years of age, whose mother lives in Wall street. The boy fully recovered from the effects of those injuries, and two or three weeks laier diphtheria set in, which was cured by the attending physicians. At a later period meningitis set in and continued up to the time of his death. Coroner Schirmer took the case in charge, and yesterday, late in the day, Joseph Cushman, h. D., made a postmortem examination on the body of deceased, on which he found no external marks of violence. Several flakes of lymph were discovered on the tase of the brain, and the ventricles of the brain were distended with serum. Death, in the opinion of Dr. Cushman, was caused by meningitis. Until a more complete history of the case is developed Dr. Cushman is not prepared to say that the injuries the boy received had anything to do with causing death. It is possible that the meningitis may have been the result of natural causes.

Captain Ulman, of the First precinct, who was consulted in regard to the matter, will keep a watch on the boy Connor and produce him at the Coroner's office on Thursday morning, when the inquisition will be held. effects of those injuries, and two or three weeks

in a criminal sense it is believed the case will mount to little or nothing.

THE SLEEPY HOLLOW MURDERER.

Buckbout's Doom Approaching-The Court of Appeals Will Not Interfere-How the Criminal Received the Announcement-He Promises Not to Make "Extra Trouble" on the Scaffold. Despite the strenuous efforts made by counsel in

his behalf, the execution of Isaac V. W. Buck hout. at White Plains, Westchester, on Friday is now regarded as certain to take place. The decision of Chief Justice Church refusing a of proceedings on the ground that "there was no material legal error committed" during the trial at which the criminal was convicted, has left little or no hope in the bosom of the condemned man that any possible circumstance could now avert or postpone his fale. On being informed by Sheriff Brundage that the highest judicial authority in the State had declined to interfere

chal authority in the State had declined to interfere in his benaif,

BUCKHOUT TREMBLED SLIGHTLY,
but did not make any reply. Yesterday the prisoner was removed into a larger and more comfortable ceit than the one he had hitherto occupied, care having been previously taken to ascertain that he had nothing concealed about his person. Having been asked by the Sherin whether he would not like to have other than the prison fare. Buckhourt smiled good naturedly and replied, "I haven't got a great while to stay, have it. The jall fare suits me well enough, and I don't know that I want anything different." The tender-nearted Sheriff, however, ordered that the prisoner's meals be sent him from a neighboring notel. He evidently appreciates the kindness shown him during

tender-nearted Sherin, however, ordered that the prisoner's meals be sent him from a neighboring hotel. He evidently appreciates the kindness shown him during

HIS PROTRACTED INCARCERATION,
and, while expressing his knowledge of the "minpleasant duty" which must devoive on the Sherin, has assured the latter that he (the prisoner) would not make him any extra tromble if he could help it. The wretched man is visited daily by Rev. F. B. Van Kleeck, pastor of Grace church, who speaks hopefully of the anxiety evinced of late by the prisoner to remove his thoughts from things temporal and place them on matters eternal. In the hope of obtaining

A FURTHER RESPITE

Bucknout's brother and sister-in-law proceeded to Albany yesterday intending to make a nual appeal to Governor Hoffman. It is not believed, however, that the Governor will interfere with the course of justice.

Preparations have already been commenced, for the enclosure of the space which separates the juil from the rear of the Court Bonse, as it is within this that the gallows with be erected to-morrow.

THE JERSEY CITY HOMICIDE.

Continuation of the Trial of Policeman Har-ned-He Would Shoot Apy One Not Stop-ping After the Order to Halt. The trial of Officer Harned, charged with the mur-der of Henry Noite, was continued yesterday at Jersey City. The following evidence bears directly on the shooting, and shows how the deceased came

to his death:-

went into the next house and talked a short time with my sister; was not there at the time the man threw the stone.

Dr. Bird sworn—I am a police surgeon; about one o'clock I first heard of the snooting at the police station; went up to Beacon avenue and found a man lying on the stoop wonned; had him taken into the saloon and from there home, where I extracted the ball; the ball passed nearly straight through; found the ball in front and gave it to Sergeant Newton; the man was in a state of collapse and at nine o'clock I found another physician in attendance; I made a post-mortem examination; be died of internal hemorrh age, caused by a pistol shot wound.

The pistol ball and map were offered in evidence, after which the State rested. Mr. Winfield will sum up for the defence this forenoon.

THE PORT MORRIS MIRDER.

Trial of William Grinder for the Murder of

Robert D. Foster. William Grinder, the "Port Morris murderer," was arraigned before the Court of Oyer and Ter miner of Morris county, New Jersey, at Morristown ing Robert D. Foster, on the 24th of October, 1871. On that day the murdered man entered Grinder's saloon in the village of Port Morris. He was also accompanied by two companions. The three drank at the bar, and left at twelve o'clock. After walking a few roos John Burns returned to the res taurant and came back to the party with a bottle of rum. They all drank from the bottle, and a lew minutes afterwards were met by John Pinkerton with a loaded revolver. He pointed the pistol at their heads, and said that he would fire unless Foster re-turned and paid for the whiskey. Murray, the third man, expostulated with Pinkerton, and said that if he did not take back the revolver to Grinder he would kill him. Pinkerton did so. A few min-utes afterwards Grinder, the murderer, put in an appearance, with the identical revolver. He swore terribly, and wanted the money for the whiskey. The three men protested their ignorance of the purchase. At this he deliberately fired at Foster. The shot took effect in his right thigh, the femoral artery having been severed. Foster, after looking at his wound, pointed to Grinder and said, "See this, you have killed me." Grinder threw the weapon away afterwards and escaped for the time, but was arrested after the Coroner's jury had placed the murder at his door. Since his incarceration in the jail at Morristown he has resolutely refused to see any person, although ministers of every denomination have urged him to permit them to talk with him.

Grinder was brought before the Court at ten A.

M. Judge Dairymple presiding. The chamber was crowded. Alfred Mills, for the prosecution, opened first. He recited the case for the State. Grinder pleaded "not guilty." Several witnesses were examined for the prosecution and testified to the shooting. volver. He swore terribly, and wanted the

william Collins, for the defence (the only witness), testified that Poster cluttened the pistol while in the names of Grinder, and thereby caused the explosion. Epon his evidence the counsel for the defence base their argument, and try to acquit the criminal upon the plea of "accident." To-day both sides will sum up and Judge Dalrymple will charge the jury.

ANOTHER STREET CAR GRIEVANCE. TO THE EDITOR OF THE HERALD:-

I wish to call your attention to an annoying mismanagement on the line of the Madison avenue cars. Their terminus is supposed to be at the junction of Eighty-sixth street and Madison avenue. Many resionents of Yorkvile, to escape the disagreeable ride in the Third avenue cars, will walk some distance down to take those in Madison avenue. I myself prefer to walk from Ninety-second street and Third avenue. This to a deheate person in severe winter weather is not particularly agreeable; but, of course, we cannot complain if the railroad officials fulfil their part of the contract, but this they do not do. Any time from weive to three o'clock you may see a long line of cars extending from Eighty-fourth to Eighty-sixth street, and the passengers are only taken as far as Eighty-fourth street, to trudge through rain and show the rest of the way as far as their destination may lead. This I know to be a serious inconvenience to many. Please give your voice for its correction and douge. management on the line of the Madison avenue cars

POLITILAL MOVEMENTS AND VIEWS.

Free Discussion Demanded in the Republican [From the Philadelphia Press (republican), editorial,

Feb. 13.1 Let no man suppose that the republican party incends to abdicate its throne or power, won through battle and death. Never was it more firmly through battle and death. Never was it more firmly seated than now. The discussions of recent events are the thunder storms that leave behind a bluer sky and clearer atmosphere. What our people demand is the freest discussion of candidates and of measures. We are nothing if not tolerant and wise, ours is not a party that fears the most searching investigation. It must be this, or it must die. And die it cannot, as long as its leaders adopt the warnings of the hour and anticipate the wishes of the people. We regard the present as the best and most nopeful period of the time. It gives us promise. It lifts us above the little men and base factions of the hour. It prepares us for the future.

The Next Presidency-A Voice from South

Carolina in Favor of Grant.

Daniel H. Chamberlain, Attorney General of South Carolina, has written a letter, in which he urges the renomination of General Grant, and

But I would not place the choice of General Grant upon the ground of availability alone or chiefly. It is the great fact that he has been tried and found faithful; that he is nouest and patriotic; that his record of service and achievement is more illustrious than that of any American since Washington, that should move the republican party to ask him to stand at the helm of State for another term. We may make the largest allowances for mistakes of detail or policy, which the opponents of his renomination claim, and still the great results to which I have recerred remain undiminished and undeniable.

"Better Men" Than Grant. The response to an inquiry in regard to a better man for the Presidency than General Grant, the

man for the Presidency than General Grant, the Springfield Republican (artis Grant) remarks:—

well. strong up and look at Charles Summer, LyMan Trumbull, J. D. Cox, Henry Wilson, Schuyler
Coliax, Theodore Woolsey, James G. Biaine, Joseph
R. Hawley, George S. Boutwell, Judge Davis and
James Wilson. Will not one of these do to compare
with General Grant? Is there not one among them
all who, by education and experience, instinct in
the science of government and melligence in the
means of its administration, would give promise of
proving a better President than the present?

Grant and His Critics. Under this caption the Detroit Post (republican)

Brilliant, incisive, captious criticism may interest and amuse for the time being, but the vast majority of the people pay little attention to it. They see large results. In comparison with those, the rudeness or the weakness of the process interests them little. And so Grant will wear out all the keen microscopists who inspect the list of his relativos; weave his opinions into the speeches of Congressmen; and find only apportisy in his slowness, and indifference in his somewhat stold persistency. History, however, will correct all this hostile but limited inspection of his character; reject the minor faults and flaws of organization, and give nim his just renown for accomplishing great deeds by firmness, coolness and pertinacity.

THE RICHMOND COUNTY ELECTIONS.

the Meformers.

The annual election of town and county officers for Staten Island took place yesterday. The neigh-borhood of the polling places was thronged with the friends of the candidates throughout the day. It was one of the most exciting elections ever held in were those of Supervisors, one from each of the five townships, the others being for Justices of the Peace, Assessors, Collectors, Town Cierks and other petty officers. In Middletown the fight was very bitter for Supervisor, the candidates using S. R. Brick, Jr., one of the leaders of the ring, and A. C. Bradley, a prominent reformer.

In Westfield the candidates were A. H. Wood, reform, and D. P. Winant, regular democrat.

In Southfield—D. Keely, ring candidate; G. Greenfield, reform, and J. Cornell, regular democrat.

In Castleton-R. Christopher, democrat, and J. D.

Vermale, reform.
In Northfield—J. H. Van Clief, ring, and J. B. Hill-Vermale, reform.

In Northield—J. H. Van Clief, ring, and J. B. Hillyer, reform.

The contest between both parties was very bitter,
but resulted in a grand victory for the reform party.
From an early hour in the afternoon the members
of the ring knew that they would be defeated, and
such cheering remarks as these might be neard on
every side:—"Say, Jim, don't feel downhearted;
suppose we are beat, there is a day of reckoning coming; they can't always hold their
ground." One old Dutchman in Middletown
refused to vote unless he was paid for it. "I no
vote for nothings," he said, "I want munish, I do."
Thomas McCaoe, a candidate for Game Constable,
was reported last evening to have died. He had
been ailing for some time. S. R. Brick, Jr., the
candidate for Supervisor, lay seriously ill yesterday
at his residence, attended by two physicians.
Owing to the last boat leaving the island for New
York at an early hour the reporter was unable to
get a correct return of the vote. The following are,
in all probability, the candidates elected for Supervisors:—Northfield, J. B. Hillyer, reform; Southfield,
D. Keely, regular democrat; Westfield, A. H. Wood,
reform; Middletown, A. C. Bradley, reform; Castieton, J. D. Vermale, reform.

In the evening cannons and rockets were fired of

reform; Middletown, A. C. Bradley, reform; Castleton, J. D. Vermaie, reform. In the evening cannons and rockets were fired off in honor of the reform victory. FENTONITES AND CONKLINGITES IN COUNCIL.

A Movement in the Union Lengue Club to Bring About a Reconciliation Between the Two Republican Factions.

There is an attempt being made at reconciliation

etween the Fenton and Conkiling republicans. Chief among the peacemakers there are some gentlemen who have been abroad for sev-eral years. Having viewed the ever-shifting scenes of our political arena at a hazy distance they are not cognizant of the fact that there are too many politicians interested in keeping up the quar-rul to allow their efforts any chance of success. These well-intentioned gentiemen have paid a visit to President Grant—the man of peace par excellence. The President told him that he had no ili feeling against Fenton or Greeley; that others had done all the talking and running of the political machine; that he himself had no other thought than the faithful fulfilment of his duty as a chief magistrate, and that he would prefer to see both Coukingites and Fentonikes pull together.

On Monday evening the subject of renomination came up at the Upion League Club, where many prominent republicans were assembled at dinner. The adherents of Mr. Fenton began to discuss the coming Presidential campaign. They contended that there ought to be some man found upon whom both lactions could unite their vote. The Conkingites acclined to follow them on this ground, looking upon the re-election of President Grant as a loregone conclusion. They said that they would enter into a discussion about principies, but not about men, in order to avoid personal recriminations of which there had been too much already. Nevertheless, they took occasion to defend, in glowing terms, the administration of President Grant, his reduction of the national debt, his economical measures, his policy toward the Indians, &c. Among the speakers Mr. J. C. Cowdin was the most prominent in favor of a fusion of the two republican factions, Altogether there was a great deal said, but little done toward reconciliation. thought than the faithful fulfilment of his duty as a

A QUERY FOR DAVID A. WELLS-IS IT RIGHT TO OVER TAX REAL ESTATE?

TO THE EDITOR OF THE HERALD:chant" in your paper this morning and fully agree with him. Mr. Wells may be a great financier, but a more outrageous and unjust law was never proposed. It exempts almost all personal property and throws the tax upon real estate. Let me illustrate one of the unjust propositions, as I understand It:— I own a house worth \$10,000; mortgaged for \$5,000; therefore I am worth just \$5,000 in real estate and have no other property in the world. The proposition is to tax me for the full value of the real estate when I own but one-half, and add ten per cent to that, and multiply the latter by three, thus:—Actual value of real estate, \$10,000; rental value, \$1,000, on which I am to be taxed three times, \$3,000, thereby compelling me to pay on \$13,000 (when I am worth just \$5,000), and not tax the mortgagee or wealthy men, who have millions of personal property, one dollar. Is this right or just? I say no; and every real estate owner should use his induence to defeat it and retire the present Commissioners, who have snown great incompetency.

JUSTICE BEFORE MIGHT.

OHIO LEGISLATURE.

The First Step Toward Free Trade with the Dominion-Ohio Offers Her Canals on Terms of Equality with United States Citizens if Caunda Will Offer Similar Advantages.

COLUMBUS, Ohio, Feb. 13, 1872.

In the Senate to-day a resolution was adopted granting the use of the Ohio canals to residents of Canada on terms of equality with citizens of the

United States, provided the Dominion government grant a similar use of the Canadian canals to cut-zens of the United States. In the House a bill was passed creating a board of trustees and visitors for Aummi associations of

THE COURTS.

The Jumel Estate Litigation Still On-Alleged Smuggling of Cigars-Case in Bank ruptcy-Charge of Counterfeiting Gold Coin-Business in General Sessions.

UNITED STATES SUPREME COURT.

Another Immense Land Grant-The Grantees Lose It by Non-Performance of Conditions

No. 40. United States vs. Vigei—Appeal from the Supreme Court of New Mexico.—The Court below confirmed the claims of the petitioners (appellees here), flied under the provisions of the fifth section of the act of June 21, 1860, for a large quantity of of the act of June 21, 1860, for a large quantity of land in New Mexico, estimated at 2,500,000 acres, and originally granted under the name of the "Jornada del Muerto," or journey of the dead. The claim was formerly rejected by the Surveyor General of the Territory under the act of 1850, authorizing its examination by that officer, on the ground that the grant having been conditional, and none of the conditional, having been performed by the grantees the grant was invalid as a claim against the United States. From this decision the claimants appealed to Congress, and the result was the passage of the act of June, 1860, authorizing Vigel and those claiming under him to bring a suit against the government in the Supreme Court of the Territory, if brought within two years of the passage of the act. The claim was confirmed, but no opinion was ever delivered or filed by the Judges giving their reasons for rendering the judgment. After contending that the grant was invalid for certain irregularities, it is here urged that the decision of the Surveyor General, when the case was referred to him, was correct. B. H. Bristow and J. A. Wills for government; General Ewing for claimant.

COURT OF APPEALS. Decisions.

ALBANY, feb. 13, 1872. In the Court of Appeals to day ju agments were affirmed, with costs, as follows — Middlebrook vs. Broadbent, the National Bank of Pishkill vs. Speight,

Broadbent, the National Bank of Fishkill vs. Speight, Moore vs. Moore, Westbrooks vs. Willey, Finnegan vs. Canaher. Owen vs. 'The New York Central Railroad Company, Williams vs. Lawrence.

Judgments reversed and new trials granted, to abide the evenes, as follows:—Caulkins vs. Heltman, Andrews vs. Gillespie. Chapman vs. McKay.

Order granting new trial affirmed and judgment absolute for plainting, with costs—Tae City of Brooklyn vs. The Brooklyn City Railroad Company.

Appeal dismissed, with costs—People ex rel. Kilbourne vs. Benedict.

Appeal dismissed, without costs—Paul vs. Memger.

ger. The following order was handed down:—

Ordered, that Hiram E. Sickles, of the city of Albany, be appointed Reporter of the Court of Appeals, in the place of Samuel Hand, resigned.

COURT OF APPEALS CALENDAR.

The following is the Court of Appeals day calendar for February 14:—Nos. 81, 142, 147, 149, 150, 85, 86, 161.

UNITED STATES CIRCUIT COURT.

The Estate of Madame Jumel. Before Judge Shipman.
The further hearing of the case of George Washington Bowen vs. Nelson Chase was resumed yes-

Counsel for defendant offered in evidence public records from the town of Woodstock, Conn., in reference to the births of members of a family

Jason Perry, of Woodstock, Conn., testified that he was a wheelwright, and that he was born in Woodstock in 1805; his parents were Henry Perry and Sarah Perry; the witness produced his family was an older Bible, which one of his brothers took with him when he went out West, but before he went out there he transferred the record to the Bible now produced, and the witness saw in the latter Bible the entries of the births of the members of the lamily pretty soon after the entries were made; that was about twenty years ago; the eldest brother of witness has been dead seven or eight years; his brother, Joseph F. Perry, would be sixty-five years of age in June, and he had remained in Woodstock until he was thirty years of age in lune, and he had remained in Woodstock until he was thirty years of age; he was a carpenter, and witness was engaged with him one seasen in building a nonse in North Woodstock, in 1831; Joseph F. Perry went to Boston; witness visited him there; after that he was in Roxbury, and witness visited him there; in 1847 or 1848 he was in the house of his brother Joseph, in Vernon street, Roxbury; the last time he saw him in Roxbury was in the neighborhood of 1848, 1849 or 1850; his brother Joseph was married and had children, but rone of them grew up; he had not seen him since: he had received letters from him after he came to New York; that might be in 1852 or 1853, after he left Boston; he had received no information within a recent period whether his brother was dead or alive.

Mr. Carter, of counsel for defendant, offered in with him when he went out West, but before he

Mr. Carter, of counsel for defendant, offered in evidence the record from the family bible produced by the witness. This record stated that Joseph F. Perry, brother of the witness, was born June 26,

by the witness. This record stated that Joseph F. Perry, brother of the witness, was born June 26, 1807.

The witness was cross-examined by counsel for plaintiff. He stated, among other matters, that he had recently gone to Boston with a gentleman named Logan to find out the house in which his (witness') brother Joseph lived; Mr. Logan defrayed the expenses of the trip; he paid his fare down and back; he did not promise to give him anything over and above his expenses; witness thinks that all the entries in the Bible produced are in the handwriting of his brother Warner.

In order to understand the above testimony, it is necessary to state that it was introduced for the purpose of contradicting the testimony of Joseph F. Perry, the witness who had testified on behalf of the plaintiff, that he had resided in Providence, and that he there was acquainted with the Ballous and their friends. The defendant claims that this Joseph F. Perry never resided in Providence at all, and that his home was in Roxbury, Boston, and Woodstock, Conn.

The next witness was Stephen W. Bugby, of Webster, Mass. He was, he said, born in Woodstock, Conn., in 1816, he had married a sister of the last witness; he was always acquainted with the Perry family; he knew Joseph F. Perry, who was nine years of age; he then went to Roxbury, Moss., and the witness visited him there twice, and quite recently he had seen the house in which Joseph F. Perry lived; witness, without the aid of any one, was quite able to point out the house in Vernon street, Roxbury, in which Joseph F. Perry resided.

Testimony of a similar character having been given by other witnesses the Court adjourned to eleven o'clock this morning.

UNITED STATES DISTRICT COURT.

Alleged Smuggled Cigars. Before Judge Blatchford. Yesterday, in the case of the United States vs. a quantity of alleged smuggled cigars, claimed by

UNITED STATES COMMISSIONERS' COURT.

Adolph Trow, the jury found a verdict of condem-nation, the value of the cigars to be assessed in a

Alleged Frandulent Bankruptcy. Before Commissioner Betts, The United States vs. John P. Hayden.—On the

21st of September, 1871, a petition was fired in bankruptcy against the defendant, praying that he might be adjudicated a bankrupt, and he was so adjudged in the month of October following. An adjudged in the month of October following. An assignee was appointed. Defendant was in business as a butcher. During the time of these proceedings he was sick in his room under the care of a physician. On the 21st of September he collected bills dus him, most of which were collected after the service of an injunction upon him. He sent for his counsel and told him he wished to obey the injunction, and sought advice what to do. His counsel was negotiating with his creditors for a settlement of their claims, and in view of the lavorable state of the negulations he advised the defendant that he could spend the money which he had so collected in the reasonable support, and clothing of his family, in employing a bhysician and in the purchase of medicines which he might prescribe, and in keeping up also a moderate stock in his store, so that the customers might not leave and the good will of his store thereby be depreciated. For that purpose he spent \$1,100 so collected. The Commissioner holds that those acts are in violation of the forty-fourth section of the Bankruptey act. All the estate of the bankrupt vested in his assignee from the date of the filing of the petition, and the defendant was bound to take notice of that transfer from the time the order to show cause came and the injunction was served upon him. From that date he must be deemed to have known that the property was not his. "His sickness and the wants of his family," adds the Commissioner, "may present a strong claim to my sympathy; but in the purview of the criminal law they do not justify he using of the property and funds of another any more than they would embezzling or stealing the money of another. The defendant is therefore commissioner holds him to await the action of the Grand Jury.

Charge of Counterfeiting Gold Cein. assignee was appointed. Defendant was in busi-

Charge of Counterfeiting Gold Coin.

Before Commissioner Shields.
The United States vs. Joseph Wolf and P. Arnour .- The defendants in this case were charged with "making and having in their possession counterfeit gold pieces, in the resemblance and similated of the gold coin of the United States, of the denomination of one deliar." The defendants admit the possession of the coin. They claim that the coin was only used for the purpose of making sleeve but-tons, charms, &c., but was never used, offered or passed as genuine coin. A large number of jewelless to tiled that they had these coins in their stores for the last fitteen years, made up in charms, breastplins, studs, &c., but that they were never represented as being gold dollars or offered as sweet. The Commissioner, in his decision, hotes that the making of this coin was illegal and contrary to the statute of the United States, but that in inis particular case the evidence showed that there had been no intent on the part of the defendants to fra "dulently pass them as genuine, and he discharge" he defendants. The commissioner expressed a hope that all dealing in such articles should be st. "Oped, and indicated that if criminal intent on the part of defendants had been shown it would have been "Us duty to send them for trial.

Charge of Selling Sanuagled Cigars.

The United States vs. Pedro Francisco and Fernando Antonio,—The defendants were held by Commissioner Snields to await the action of the Grand Jury on a charge of selling or offering for sale smuggled cigars.

COURT OF GENERAL SESSIONS. Before Judge Bedford.

In this Court yesterday William Wills pleaded guilty to an attempt at grand larceny, the undict-ment charging him with stealing on the 31st of De-cember a gold watch valued at \$50, the property of

Thomas McCarthy, a youth who was charged

Thomas McCarthy, a youth who was charged with stealing a valuable gold watch from Charles Rogers on the 17th of January, pleaded guilty to an attempt at grand larceay. He was sent to the House of Refige.

Michael Malley was charged with firing a pistol at Charles Fricken, a concert saloon keeper, on New Year's night, and inflicting a wound upon the hand. After hearing the complainant's and the prisoner's version of it—the latter exhibiting the physical marks upon his head of a clubbing the physical marks upon his head of a clubbing the physical marks upon his head of a clubbing the physical marks upon his head of a clubbing the physical marks upon his head of a clubbing the physical marks upon his head of a clubbing the physical marks upon his head of a clubbing the physical marks upon his head of a clubbing the physical marks upon his head of a clubbing the physical marks upon his head of a clubbing the physical marks upon his head of a clubbing the physical marks upon his head of a clubbing the physical marks upon his head of a clubbing the physical marks upon his head of a clubbing the physical marks upon his head.

COURT CLENDARS-THIS DAY.

SUPREME COURT—SPECIAL TERM—Held by Judge Ingranam,—Nos. 55, 88, 28, 76, 121, 122, 123, 124, 126, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135.

SUPREME COURT—CHAMBERS—Held by Judge Bar-

126, 121, 128, 129, 130, 131, 132, 133, 134, 135.

SOTREME COURT—CHAMBERS—Held by Judge Barnard.—No. 180.

SUPREME COURT—CHRUIT—Part 1—Held by Judge Van Brunt.—Nos. 1093, 1101, 14124, 89, 773, 835, 859, 663, 1003, 1055, 886, 467, 987, 1021, 1117, 1119, 1126, 1123, 1125, 1127. Part 2—Held by Judge Brady.—Adjourned to Thursday, February 15.

SUPERIOR COURT—TRIAL TERM—Part 1—Held by Judge Freedman.—Nos. 129, 1285, 1333, 1411, 1185, 1676, 843, 1358, 1403, 1559, 1563, 1563, 1567, 1569. Part 2—Held by Judge Sedgwick.—Nos. 959, 244, 1064, 1068, 540, 760, 250, 270, 960, 589, 1170, 730, 624; 1072, 1078, 324.

COURT OF COMMON PLEAS—EQUITY TERM—Held by Judge Larremore.—Nos. 172, 191, 188, 189, 190.

COURT OF COMMON PLEAS—TRIAL TERM—Part 1—Held by Judge J. F. Daly.—Nos. 156, 174, 176, 187, 67, 183, 189, 190, 106552, 467, 1138/5, 345, 710, 506, 970, 652, 764, 893, 930, 1103, 68, 2059. Part 2—Held by Judge Low.—Nos. 1153, 1169, 1174, 1179, 1199, 1290, 1204, 1205, 1206, 1207, 1208, 1211, 1212, 1213.

Marine Court—Trial Term—Part 1—Held by Judge Spaulding.—Nos. 797, 7728, 7991, J. vs. D., 7648, 8014, 8015, 8016, 8017, 8019, 8038, 8018, 8028, 8021, Part 2—Held by Judge Spaulding.—Nos. 797, 7728, 7991, J. vs. D., 7648, 8014, 8015, 8016, 8017, 8019, 8038, 8018, 8028, 8021, Part 2—Held by Judge Spaulding.—Nos. 7907, 8008, 8009, 8010, 8011, 8012, 8013, 8015, 8016, 8017, 8019, 8038, 8018, 8089, 8010, 8011, 8012, 8013, 8036, 6857, 8007, 8008, 8009, 8010, 8011, 8012, 8013, 8015, 8526, 8535, 8836, 8537.

JUDGE BEDFORD ON GARROTERS.

James McLaughlin, a Notorious Garroter The Court of General Sessions, Judge

presiding, was occupied the greater part of yester-day in the trial of James McLaughlin, charged with garroung. All the testimony in the case showed that the prisoner was a desperate character, and his conviction and speedy sentence it is to be hoped will be a caution to the gang of whom he was a sort of ringleader and chief. The most careless reader of criminal doings as recorded in the daily press cannot fail to have perceived that certain crimes frequently assume the form, of an epidemic. Sometimes the use of the knife and bistol seems to predominate over other offences. Then for a time the light-lingered genery nave it all their own way, and again the "knights of the Jimmy" come to the front and break into stores and dwellings with impanity; and succeeding a tuil in their operations, garroters appear in our public thoroughtares, and often in midday boddy and brutaily waylay peaceable citizens and root teem of their money and valuables. It will be remembered that last Septemoer this latter species of crime was rampant; but it received a timely check by the prompt and vigorous administration of justice, and ten of these lawless ruifians were convicted of highway robbery and sent to the State Prison for terms varying from twelve to twenty years. Of late numerous instances of roobery in this city and Brooklyn have occurred, and owing to the inadequate police force many of the highway men have escaped. The only protection which our citizens can have from this dangerous cass of offenders is their speedy and severe punishment by the judges of our criminal courts whenever they are brought within the grasp of the law. Judge Bedford is doing all in his power to put a stop to garroting, and the District Attorney co-operates with him in placing the complaints for robbery before the Grand Jury, so that indictments may be found immediately and the AGRAVATED CASE OF GARROTING was disposed of in the General Sessions; and as soon as the jury rendered a verdict of guilty, which they did without leaving their seats, the City Judge sentenced the prisoner to incarreration in the Sing Sing Prison for twenty years. The name of the culpirit was press cannot fall to have perceived that certain crimes frequently assume the form

JAMES M'LAUGHLIN, and the evidence against him was brief, but very conclusive.

Frederick Weist, residing in Thirty-seventh street, near Tenth avenue, testified that at tweive o'clock at night on the 22d of January he went into an oyster saioon with a friend, and after remaining there for an hour they parted, and while he (Weist) was proceeding to his home the prisoner came up and asked him what time it was; he replied that his watch was stopped, whereupon he immediately received two blows in the face and was knocked Gown by the prisoner, who tore his watch from the Chain. Mr. Weist said he positively identified the prisoner as the man who attacked him.

Counsel for McLaugnlin stated that he would not stuitify himself by proceeding with the cross-examination, and ordered to plead gailty.

The other witness called was Officer Rollly, of the Twentieth precinct, who testified that he saw the prisoner knock the complainant down on the corner of Forty-first street and Tenth avenue, and as soon as the latter called "watch" the prisoner ran away. Relliy and another officer pursued McLaughin, and upon his refusing to stop they fired their pistols at him, but, fortunately for the criminal, without effect. At length the fugitive was caught by a third officer in Nitht avenue. He was searched when orought to the station house, but the watch was not found.

VERDICT—GUILTY.

The jury rendered a verifict of guity, and, after

was not found.

VERDICT—GUILTY.

The jury rendered a vertict of guity, and, after the officer informed the Judge that McLaughin's right name was "Jimmy Hart" and that he was an associate of bad characters, Judge Bediord proceeded to sentence him.

cecued to sentence him.

BENTENCE.

His Honor said:—"MoLaughlin, of late the crime of garroting has raised its cangerous head in our midst, placing, as it were, the lives of our citizens in imminent peril. I am determined, in every legitimate way, at all hazerus, to protect the community against ruffians and ruffianism. And I shall take this opposituanty of saying that every prisoner properly convicted of garroting shall have meted out to him the full penalty of the law—twenty years in the State Prison—which is your sentence."

ROSANNA ROONEY'S DEFENCE.

Suoplifting Extraordinary-Broche Shawls

and Strange Onths.
Rosanna Rooney, a comfortably dressed, stout woman, with a black and white plaid shawl on her shoulders, a black velvet hat with an immense scarlet leather on her head and a market basket on her arm, was officially ushered - before His Honor Judge Scott yesterday afternoon. She came up sobbing. Her white apron made a number of journeys to eyes which would well up no tears, no matter how hard the sources were pumped. David Conen, of 249 Grand street, a curity-neaded blonde, proprietor of a dry goods establishment at the above number, made a complaint against the fair Rosanna of lifting a broche shawi, worth \$20, and secreting it under her clothes. This Rosanna denied indignantly, and with much em-

worth \$20, and secretary it under net course.

Rosanna denied indignantly, and with much emphasis.

"Jedge," she said, "I declare to me Gaud, and before all the sons of men, that I'm as ennocent of this as a baby."

Judge—Keep quiet, woman; make your complaint, sir, whatever it is.

The owner of the shawl commenced to make hisformal statement to the clerk. In the meantine Rosanna kooney danced up and down the railed enclosure like a nyena in want of food. She yelled and she bawled, "I well, I well have justace; tak" care, tak" care how ye abuse yer oath; ye'll appear ye: before the baar of jedgment and so well I."

Judge—Stop your noise, woman.

Rosanna—Av me lather that's in the sea and memitiner that's in Smithfield and me pure husband that's in Glasnevin were to rise up before me this mint, I'd swear that man a flar.

Judge—Officer, remove that woman at once.

ILLINOIS AND MICHIGAN CANAL NAVIGA-TION.

CHICAGO, Feb. 13, 1872. Messrs. Singer and Talcott, of this city, have se

cured permission from the Illinois and Michigan Canal Commissioners to run boats from Lockport to Chicago on the cable plan. The cable will be laid in the middle of the canal and grasped by a steam propeller with a revolving clamp wheel. It is expected that with from eight to ten well inden boats a speed of five miles ber hour will be attained.